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Before the
Federal Communications Commission
Washington, D.C. 20554

In re Applications of)	MM Docket No. 93-241
)	
DARRELL BRYAN)	File No. BPH-920109MA
)	
SBH PROPERTIES, INC.)	File No. BPH-920123MD
)	
)	

For Construction Permit for
New FM Channel 276A
Tusculum, Tennessee

RECEIVED

OCT 17 1994

To: Honorable John M. Frysiak
Administrative Law Judge

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SUPPLEMENT TO
PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW

SBH Properties, Inc. ("SBH") by counsel herewith submits the attached Summary" as a supplement to its Proposed Findings of Fact and Conclusions of Law, previously filed on October 3, 1994, and requests that the same be accepted.

In submitting its Proposed Findings of Fact and Conclusions of Law on October 3, 1994, SBH inadvertently omitted the attached, required Summary. Accordingly, SBH is submitting the attached as a Supplement to its Proposed Findings of Fact and Conclusions of Law and requests that it be ACCEPTED.

Respectfully Submitted

SBH PROPERTIES, INC.

By: 

Timothy K. Brady
Its Attorney

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October 17, 1994

SUMMARY

Based upon the record developed in this proceeding it must be concluded that Bryan failed to engage in reasonable efforts to ascertain the costs of constructing his proposed station and operating it for three months without revenue and that his estimated costs are neither reasonable nor reliable. In that regard it must also be concluded that Bryan omitted costs, understated the costs of other items and relied upon equipment and furnishings, which while on hand, were of uncertain availability.

Based upon the record developed in this proceeding it must also be concluded that Bryan has failed to carry his burden of demonstrating that the documentation that he had on hand at the time he certified and filed his Application was sufficient to meet the Commission's documentation requirements. Accordingly, Bryan failed to carry his burden of demonstrating the availability of his proposed funding.

Based upon the record developed in this proceeding it must also be concluded that Bryan has failed to carry his burden of demonstrating that the funding upon which he relied was sufficient in amount to meet the costs that he would incur in constructing and operating the station he had proposed to construct and operate.

Accordingly, it must be concluded that Bryan was not financially qualified at the time he so certified.

Inasmuch as Bryan was not financially qualified at the time he so certified, he cannot be found to be financially qualified, currently, and could not in any event, inasmuch as his proposed funding is insufficient to meet his established costs.

Finally, based upon the record developed in this proceeding it must also be concluded that Bryan falsely certified his financial qualifications.

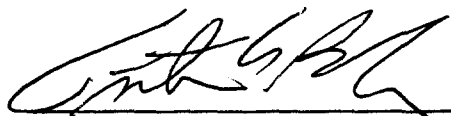
CERTIFICATE OF SERVICE

I, Timothy K. Brady, hereby certify that I have this 17th day of October, 1994, served a copy of the foregoing Supplement to Proposed Findings of Fact and Conclusions of Law by First Class mail, postage prepaid, except as otherwise noted, upon the following:

Honorable John M. Frysiak
Administrative Law Judge
Federal Communications Commission
2000 L Street, NW, Room 223
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